



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



497706

REPLY TO THE ATTENTION OF

NOV 21 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TRIPLE S MACHINING LTD
5235 THATCHER RD
DOWNERS GROVE IL 60515

Re: Request for Information Pursuant to Section 104 of CERCLA
for the Ellsworth Industrial Park Site in Downers Grove, Illinois

Dear Sir or Madam:

This letter seeks your cooperation in providing information and documents relating to the contamination of the Ellsworth Industrial Park Site in Downers Grove, Illinois. A Superfund site is a site contaminated with hazardous substances that may present a threat to human health or the environment.

The United States Environmental Protection Agency (U.S. EPA) is investigating the release or threat of release of hazardous substances, pollutants or contaminants at the Ellsworth Industrial Park Site. The U.S. EPA is seeking information concerning the generation, storage, treatment, transportation, and disposal methods of hazardous substances that have been, or threaten to be, released from the Site. The U.S. EPA will study the effects of these substances on the environment and public health. In addition, U.S. EPA will identify activities, materials, and parties that contributed to contamination at the Site. The U.S. EPA believes that you possess information which may assist the Agency in its investigation of the Site. Enclosure Two is a summary of the information that U.S. EPA has about the Site and of the Agency's activities there.

We encourage you to give this matter your immediate attention. Please provide a complete and truthful response to this Information Request and its questions in Enclosure Three within 21 days of your receipt of this letter. Instructions to guide you in the preparation of your response are in Enclosure Four. Definitions of the terms used in this Information request are in Enclosure Five.

You may consider *confidential* the information that U.S. EPA is requesting. Under CERCLA you may not withhold information on that basis, but you may ask U.S. EPA to treat the information as confidential. To request that the Agency treat your information as confidential, you must follow the procedures outlined in Enclosure Six, including the requirement that you support your claim for confidentiality.

We make this request under the federal Superfund law (the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, et seq., commonly referred to as CERCLA or Superfund). The Superfund law gives U.S. EPA the authority to assess the threats to human health and the environment posed by contaminated sites and to cleanup those sites. Under Section 104(e)(2) of CERCLA, 42 U.S.C. Section 9604 (e)(2), the U.S. EPA has broad information gathering authority that allows the Agency to require persons and corporations to furnish information or documents. Enclosure Seven is a summary of the legal authority.

Compliance with this Information Request is mandatory. The Superfund statute provides that failure to answer the questions fully and truthfully, and within the prescribed time frame, can result in an enforcement action and penalties. Other statutes provide that the submission of false, fictitious statements, or misrepresentations can result in sanctions.

The U.S. EPA has the authority to use the information that it requests in an administrative, civil, or criminal action.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. section 3501 et seq.

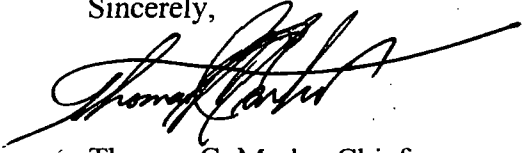
Return your response to U.S. EPA within 21 days to:

Carlton D. Cuffman
U.S. Environmental Protection Agency
Remedial Enforcement Support Section
77 W. Jackson, SR-6J
Chicago, Illinois 60604-3590

If you have any legal questions, please call Thomas Krueger, our attorney, at (312) 886-0562. If you have technical questions about this Site, please call Mazin Enwiya, Remedial Project Manager at (312) 353-8414. Address all other questions to Mr. Cuffman, Environmental Protection Specialist at (312) 353-3191.

We appreciate your assistance and look forward to your prompt response to this Information Request.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas C. Marks", with a long horizontal flourish extending to the right.

Thomas C. Marks, Chief
Remedial Enforcement Support Section

Enclosures: 1. Service List
2. Site History
3. Questions
4. Instructions
5. Definitions
6. Confidential Business Information
7. Legal Authority

ENCLOSURE ONE

Service List

Global Gear
2500 Curtiss Street
Downers Grove IL 60515

Invensys Climate Controls NA
c/o John Gialouris, President
2820 Thatcher Road
Downers Grove, IL 60515
fax: 630-719-4400

Norwood Marking Systems
c/o Jack Campbell, President
2538 Wisconsin Avenue
Downers Grove, IL 60515-4293
fax: 630-968-7672

Spannagel Tool & Die Co
2732 Wisconsin Ave
Downers Grove, IL 60515

TDI Batteries
1120 Wyndham Pkwy.
Romeoville, IL 60446 USA
fax: 630-759-0379

Triple S Machining, Ltd.
5235 Thatcher Road
Downers Grove IL 60515

Triple S Machining, Ltd.
John C. North, Registered Agent
6912 Main St, 2nd FLR
Downers Grove, IL 60516-3447

ENCLOSURE TWO

ELLSWORTH INDUSTRIAL PARK SITE HISTORY

The Ellsworth Industrial Park Site is located on approximately 1,000 acres in Downers Grove, Illinois. Approximate borders for the Site include the Burlington Northern Santa Fe ("BNSF") railroad tracks on the north, Belmont Road on the east, Maple Avenue on the south, and I-355 on the west. St. Joseph's Creek runs through the northern end of the Site. The Site was developed as an industrial park beginning in the early 1960s. Prior to that development, the property was used as farmland. Residential development now surrounds the park.

Various business concerns located in the industrial park have used solvents containing volatile organic compounds ("VOCs") in their plant operations, and releases of VOCs have been detected or are suspected at those properties. Soil and groundwater sampling results obtained during Site investigations by U.S. EPA and the Illinois Environmental Protection Agency ("IEPA") identified high levels of the VOCs trichloroethylene ("TCE") and tetrachloroethylene ("PCE") in soil and groundwater at the Site. Sampling data collected by IEPA also indicates that TCE and PCE contamination from the Site has migrated to hundreds of drinking water wells located to the south and east of the Site. These results are summarized in a report dated August 2002, prepared for U.S. EPA by Weston Solutions, Inc.

The State of Illinois has indicated its intention to propose this Site for listing on the National Priorities List.

ENCLOSURE THREE

Questions

1. **Identify all persons** consulted in the preparation of the answers to these Information Requests.
2. Identify all **documents** consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.
3. If **you** have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.
4. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous materials at the Site? If the answer to the preceding questions is anything but an unqualified "no", identify:
 - a) the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material;
 - b) who supplied you with such material;
 - c) how such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - d) when such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
 - e) where such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you; and
 - f) the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you.
5. State the dates during which you owned, operated, or leased property at the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.)
6. Identify the prior owners of the property you owned, operated or leased at the Site. For each prior owner, further identify:
 - a) the dates of ownership;
 - b) all evidence showing that they controlled access to property at the Site; and
 - c) all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned property at the Site.

7. Identify the prior operators, including lessors, of the property you owned, operated or leased at the Site. For each such operator, further identify:
 - a) the dates of operation;
 - b) the nature of prior operations at the Site;
 - c) all evidence that they controlled access to the Site; and
 - d) all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.
8. Provide copies of all local, state, and federal environmental permits ever granted for your facility at the Site or any part thereof (e.g., RCRA permits, NPDES permits, etc.).
9. Describe the manufacturing processes used at your facility at the Site, give a list of the chemicals utilized in those manufacturing process either as a component employed in the formulation of an object, made for sale or use offsite or onsite, or as a reagent in the manufacturing process, or as an item utilized in maintenance activities.
10. Provide a list of any chemical substances produced in the manufacturing processes employed onsite, any chemical substances which become byproducts of the manufacturing process, the chemical composition of any sludges or liquids or other production wastes resulting from the manufacturing process. Summarize in a short narrative the equipment used to treat such waste materials, transport such waste materials or dispose of such waste materials.
11. If production wastes, including floor sweepings, have been disposed onsite in landfills, provide a map marked with the location of any or all such sites, list the chemicals or other items landfilled at each site, and give the dates each site was utilized as a landfill by your company or other companies.
12. If the manufacturing processes used at your facility on the Site involve the utilization of rinse water, give a description of the equipment and transport mechanisms used to segregate hazardous substances from the water before it is discharged into navigable waters through an outfall permitted by a National Pollution Discharge Elimination System (NPDES) permit. Provide copies of all such permits granted in conjunction with Site operations. Describe the composition of any sludge material recovered from the cleanup processes of such rinse waters; give the means used to transport these sludges to disposal points and list any or all such deposition locations.
13. Provide a map which shows all monitoring wells installed at your facility on the Site. In addition, give the identification system used to identify each monitoring well, state the purpose for which each well was used and give the results obtained from all monitoring conducted at each of the wells during any leasehold or occupation exercised by your company.

14. Provide a map which shows all air monitoring devices installed at your facility on the Site. In addition, give the identification system used to identify each monitoring device, state the purpose for which each device was used and give the results obtained from all monitoring conducted at each of the devices during any leasehold or occupation exercised by your company.
15. Have any soil borings been collected on your property? If so, send a map and analytical results related to the borings that were collected. Identify the entity that performed the soil borings and the date(s) in which they were taken.
16. Have there ever been above-ground or below-ground storage tanks at your facility? If so, provide maps of the locations of the tanks. What was stored in each tank? If the tanks have been removed or replaced, provide the date(s) of their removal or replacement. Provide copies of any analytical results of the contents of the tanks and analytical results of any samples taken of the soil surrounding or below the tanks.
17. Describe your company's solvent management system (including the locations of your product and waste holding tanks, drums and containers) at your facility prior to 1980.
18. Describe your company's waste solvent handling and disposal practices prior to 1980.
19. Provide the names of your solvent suppliers, years of service, and quantities of solvents received since you have been at this location.
20. Provide the names of your waste solvent handlers, years of service, and quantities of waste shipped since you have been in service at this location.
21. Provide drawings or diagrams of your sanitary and storm water sewer system at your facility.
22. Provide a copy of all correspondence between yourself and each unit of local government regarding discharges into St. Joseph Creek and the municipal sewer.
23. Describe the function of any floor drains at the facility. Provide a map of each floor drain location. Describe where the floor drains and associated piping drain to.
24. Have you conducted any Phase I or Phase II investigations at your property? If so, please send copies of all reports including the analytical data.

ENCLOSURE FOUR

Instructions

1. Answer each of the questions in this Information Request separately.
2. Precede each answer with the number of the question to which it corresponds.
3. In answering each question, identify all persons and contributing sources of information.
4. Although the U.S. EPA seeks your cooperation in this investigation, CERCLA requires that you respond fully and truthfully to this Information Request. False, fictitious, or fraudulent statements or misrepresentations may subject you to civil or criminal penalties under federal law. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes the U.S. EPA to pursue penalties for failure to comply with that Section, or for failure to respond adequately to requests for submissions of required information.
5. In answering each question, identify all persons and contributing sources of information.
6. You must supplement your response to U.S. EPA if, after submission of your response, additional information should later become known or available. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify U.S. EPA as soon as possible.
7. For any document submitted in response to a question, indicate the number of the question to which it responds.
8. You must respond to each question based upon all information and documents in your possession or control, or in the possession or control of your current or former employees, agents, contractors, or attorneys. Information must be furnished regardless of whether or not it is based on your personal knowledge, and regardless of source.
9. Your response must be accompanied by the following statement, or one that is substantially equivalent:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification. Include the corporate official's full title.

10. If any of the requested documents have been transferred to others or have otherwise been disposed of, identify each document, the person to whom it was transferred, describe the circumstances surrounding the transfer or disposition, and state the date of the transfer or disposition.
11. All requested information must be provided notwithstanding its possible characterization as confidential information or trade secrets. If desired, you may assert a business confidentiality claim by means of the procedures described in Enclosure Six.

ENCLOSURE FIVE

Definitions

1. As used in this letter, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa.
2. The term **person** as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. **The Site** referenced in these documents shall mean the Ellsworth Industrial Park Site located in Downers Grove, Illinois, bounded approximately by the Burlington Northern/ Santa Fe Railroad tracks (5000 South) to the north, Belmont Road (2200 West) on the east, I-355 on the west and Maple Avenue on the south.
4. The term **hazardous substance** shall have the same definition as that contained in Section 101(14) of CERCLA, including any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The term, **pollutant** or **contaminant**, shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.
6. The term **release** shall have the same definition as that contained in Section 101(22) of CERCLA, and means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance, pollutant, or contaminant.
7. The term **identify** means, with respect to a natural person, to set forth the person's full name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term **identify** means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
9. The term **identify** means, with respect to a document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 C.F.R., Part 300 or 40 C.F.R., Part 260-280, in which case, the statutory or regulatory definitions shall apply.

ENCLOSURE SIX

CONFIDENTIAL BUSINESS INFORMATION

You may consider some of the information confidential that the U.S. Environmental Protection Agency (U.S. EPA or Agency) is requesting. You cannot withhold information or records upon that basis. The Regulations at 40 C.F.R. Part 2, Section 200 *et seq* require that the U.S. EPA affords you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by the U.S. EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. (See 41 Federal Register 36902 *et seq.* (September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).) If no such claim accompanies the information when the U.S. EPA receives it, the information may be made available to the public by the Agency without further notice to you. Please read carefully these cited regulations, together with the standards set forth in Section 104(e)(7) of Comprehensive Environmental Response Compensation Liability Act (CERCLA), because, as stated in Section 104(e)(7) (ii), certain categories of information are not properly the subject of a claim of confidential business information.

If you wish the U.S. EPA to treat the information or record as "confidential", you must advise the U.S. EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope "confidential", and identify the number of the question to which it is the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event;
2. The measures that you have taken to guard against disclosure of the information to others;
3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs;
4. Whether the U.S. EPA or another federal agency has made a pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination;

5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information;
6. Whether you assert that the information is voluntarily submitted as defined by 40 C.F.R. 2.201(I). If you make this assertion, explain how the disclosure would tend to lessen the ability of the U.S. EPA to obtain similar information in the future;
7. Any other information that you deem relevant to a determination of confidentiality.

Please note that pursuant to 40 C.F.R. 2.208(e), the burden of substantiating confidentiality rests with you. The U.S. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that the U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). If you do not identify this information and documents as "confidential", your comments will be available to the public without further notice to you.

ENCLOSURE SEVEN

DESCRIPTION OF LEGAL AUTHORITY

The federal Superfund law (the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, *et seq.* (commonly referred to as **CERCLA** or **Superfund**) gives U.S. EPA the authority to, among other things: 1) assess contaminated sites, 2) determine the threats to human health and the environment posed by each site, and, 3) clean up those sites.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. Section 9604 (e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- A. The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility, or transported to a vessel or facility;
- B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility;
- C. The ability to pay the costs of the clean-up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA. This Section also authorizes an enforcement action with similar penalties if the recipient of the Request does not respond and does not justify the failure to respond. Other statutory provisions (18 U.S.C. Section 1001) authorize separate penalties if the responses contain false, fictitious or fraudulent statements. The U.S. EPA has the authority to use the information requested in this Information Request in an administrative, civil or criminal action.

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TRIPLE S MACHINING LTD
5235 THATCHER RD
DOWNERS GROVE IL 60515

2. Article Number

(Transfer from service label)

PS Form 3811, March 2001

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-01-M-1424

7099 3400 0000 9591 9195